



382

2161
4/28/04

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCEUnder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/074,832
Filing Date	February 13, 2002
First Named Inventor	Kelliher, Timothy L
Art Unit	2161
Examiner Name	To be assigned
Total Number of Pages in This Submission	5*
Attorney Docket Number	PED-0202-US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> 27 References; Return Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

* 5 Pages in this submission plus cited references and postcard

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael D. Van Loy, Registration No. 52,315 Skymoon Research and Development, Customer No. 39368
Signature	
Date	April 8, 2004

RECEIVED
APR 14 2004
GROUP 3600

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Karena J. Moy-Brown	
Signature		Date April 8, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Kelliher, Timothy L.



Application Number: 10/074,832 Group Art Unit: 2161

Filed: February 13, 2002 Examiner: To be assigned

For: Method and System for
Oversubscribing a DSL Modem Docket No.: PED-0202-US

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, applicants are submitting herewith copies of the references listed on the attached Form PTO-1449 (modified) for consideration and to be made of record herein by the U.S. Patent and Trademark Office in the above-captioned application.

Additionally, Applicant wishes to inform the Examiner of the existence of the following co-pending U.S. patent applications:

U.S. Patent Application No.:

09/951,351 filed September 13, 2001, (attorney docket: PED-0101-US)

In accordance with 37 C.F.R. § 1.98(d), patent documents and published articles which were cited in the prior application are listed on the accompanying PTO 1449 Form (modified). Copies of these documents are enclosed.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column in accordance with MPEP 609 are respectfully requested.

In accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is believed to be submitted prior to issuance of a first Office Action. Therefore, it is respectfully submitted

RECEIVED
APR 14 2004
GROUP 3600

that no fee is required for consideration of this information. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-2559. The Examiner is invited to call the undersigned at the number provided if any issues arising in connection with the above-referenced application may be dispensed of by telephone conference.

Respectfully submitted,



Michael D. Van Loy
Registration No. 52,315

Dated: April 8, 2004

Customer Number: 39368

Skymoon Research and Development
3045 Park Boulevard
Palo Alto, CA 94306
(650) 475-1605 (telephone)
(650) 688-3119 (facsimile)